

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Panchayat Raj and Rural Development Department – Allegations of violation of conduct rules against Sri R. Rama Mohan Rao, E.E., P.R., West Godavari District (now retired) – Disciplinary action initiated – Enquiry conducted – Enquiry report submitted - Imposition of penalty of withholding of 100% Pension and Gratuity in full and permanently – Orders – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (Vig.II) DEPARTMENT

G.O.Ms.No. 385

Dated:11.12.2009.

Read the following:-

1. Govt. Memo.No.151/VS-I/A2/02-8, PR & RD (VS-I) Deptt., dt:7.10.2002.
2. G.O.Rt.No.68, PR & RD (Vig.II) Department, Dt:22.01.2003.
3. G.O.Rt.No.69, PR & RD (VS.I) Deptt., dt:22.1.2003.
- 4.G.O.Rt.No.1960, PR &RD (Vig.II) Deptt., dt:16.12.2004.
5. Reptn. of Sri R. Rama Mohan Rao, Dt:1.7.2006.
6. G.O.Rt.No.645, PR & RD (Vig.II) Deptt., dt:4.5.2007.
7. From the Commissioner of Inquiries, D.O. Lr.No.290/COI-CK/A3/2007, dt:10.7.2008
8. Govt. Memo.No.151/Vig.II/A2/2002-20, PR &RD (Vig.II) Deptt., dt:2.9.2008.
9. Representation of Sri R. Rama Mohan Rao, E.E. (Retd.), P.R., Dt:10.12.2008.
10. Govt. Memo No. 151/Vig.II/A2/2002-22, PR &RD (Vig.II) Deptt., dt:19.8.2009.
11. Representation of Sri R. Rama Mohan Rao, E.E. (Retd.), P.R., Dt:02.09.2009.
12. Govt. Letter No.151/Vig.II/A2/2001-23, Panchayat Raj and Rural Development (Vig.II) Department, Dt:19.10.2009.
13. From the Hon'ble A.P.A.T. Notice Dt:05.10.2009 in C.A.No.839/2009 in O.A.No.4974/2009.
14. From the Secretary, A.P. Public Service Commission, Hyderabad Letter. No.1322/Rt.I/3/2009, Dt:18.11.2009.

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ORDER:

Whereas, it was brought to the notice of the Government by the appropriate authority that, on 29.01.2002, when Sri R. Rama Mohana Rao, Executive Engineer, Panchayat Raj, West Godavari District was trapped by Anti Corruption Bureau Officials, when he demanded and accepted a bribe amount of Rs.1,000/- for doing official favour, the A.O. has in possession of an inexplicable amount of Rs.1,510/- and the log book of the vehicle bearing No.AP 37 G-1269, attached to him.

2. And whereas, after examination of the matter, in the reference 1st read above with reference 2nd and 3rd above, disciplinary action was also initiated by framing charges against him, on the allegation of possession of inexplicable amount of Rs.1,510/- and not updating the AO vehicle log-book, by framing the following Charges against Sri R. Rama Mohana Rao, Executive Engineer, Panchayat Raj, Eluru, West Godavai District.

(P.T.O)

Charge.1

That Sri R. Rama Mohana Rao, while functioning as EE, PR, Eluru, W.G. District from 6.8.1996 to 29.1.02 was found in possession of Rs.1,510/- unexplained amount in his table drawer, on 29.1.02 in violation of APCS (Conduct) Rules, 1964.

Charge.2

That Sri Ravi Rama Mohana Rao, while functioning as thus failed to maintain the log book of the vehicle bearing No.AP 37 G-1269 which was attached to him upto date in violation of APCS(Conduct) Rules, 1964.

3. Whereas, the Charged Officer, viz., Sri R. Rama Mohan Rao, has submitted his written statement of defence vide reference 5th read above. After examining the same, the case was entrusted to Commissioner of Inquiries for conducting detailed enquiry, on the charges framed against the Charged Officer, vide reference 6th read above.

4. And whereas, in the reference 7th read above, the Enquiry Officer has submitted her enquiry report. The Enquiry Officer in her enquiry report has stated that the "Charge No.1 is proved to the extent of bribe taken for Rs.1000/- from the complainant and so far as Charge No.2 is concerned, he may be exonerated of the same". A copy of the Enquiry Report was communicated to C.O. vide reference 8th read above. He has submitted his explanation in the reference 9th read above.

5. And whereas, the Charged Officer has filed O.A.No. 4971/2009 for passing of final orders on his representation 9th read above, without further loss of time and for release of pensionary benefits. The Hon'ble APAT dt.24.6.09 in OA No.4974/2009 filed by Sri Ravi Rama Mohan Rao, EE (Retd.) directed to pass appropriate orders on the enquiry report submitted by the Inquiry Officer, within a period of four weeks from the date of receipt of a copy of the order.

6. And whereas, after examination of the explanation of the Charged Officer along with the enquiry report, Government observed that the misconduct established against Sri R. Rama Mohan Rao, former Executive Engineer, Panchayat Raj, Eluru, West Godavari District, (now retired), by charge No.1 is proved to the extent of bribe taken for Rs.1000/- is grave in nature warranting imposition of penalty of withholding of 100% pension and gratuity in full, permanently; and accordingly, Government have provisionally decided to impose a penalty of withholding of 100% pension and gratuity in full, permanently, on the Charged Officer, viz., Sri R. Rama Mohan Rao, former Executive Engineer, Panchayat Raj, Eluru, West Godavari District, (now retired).

7. And whereas, in the reference 10th read above, a show cause notice was issued to the Charged Officer by indicating the quantum of punishment to be imposed on him, for his explanation, if any, under rule 9 of A.P. Revised Pension Rules, 1980. The Charged Officer submitted his representation, vide reference 11th cited. After examination of the explanation of the charged Officer and since the Charged Officer has reiterated his earlier representation Dt:10-12-2008 as reply to the show cause notice Dt:19-8-2009, which was already examined earlier and the C.O has not put forth any new grounds for consideration for revision of the provisional decision already taken, i.e., to impose a penalty of withholding of 100% pension and gratuity in full, permanently, on the Charged Officer, was confirmed and the concurrence of the A.P.Public Service Commission was sought for, in the matter, vide reference 12th read above.

(Contd..3...)

8. And where as, the charged Officer has filed C.A.No.839/2009 in O.A.No.4974/2009 for non-compliance of the Hon'ble A.P.A.T. orders Dt:24.6.2009 for finalisation of the disciplinary case pending against the C.O., vide reference 13th read above.

9. And whereas, in the reference 14th read above, the Andhra Pradesh Public Service Commission, has advised to reduce the punishment to 10% cut in pension for 5 years on Sri R. Rama Mohan Rao, EE(Retd.).

10. And whereas, after careful examination of the matter, Government have decided to impose a penalty of withholding of 100% pension and gratuity in full, permanently against Sri R. Rama Mohan Rao, EE (Retd.), under Rule 9 of A.P. Revised Pension Rules,1980, as such the misconduct established against the Charged Officer by the proven charge No.1 to the extent of bribe taken for Rs.1000/- is grave in nature warranting imposition of penalty of withholding of 100% pension and gratuity in full, permanently; and, accordingly, Government hereby order to impose a penalty of withholding of 100% pension and gratuity in full, permanently against Sri R. Rama Mohan Rao, EE (Retd.), under Rule 9 of A.P. Revised Pension Rules,1980.

11. The Engineer-in-Chief, Panchayat Raj shall take necessary further action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C.SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri R. Rammohan Rao, Executive Engineer, (Retd.), Panchayat Raj, through Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Engineer-in-Chief, Panchayat Raj, Hyderabad (in duplicate with a request to obtain and furnish the dated acknowledgement of the orders).

Copy to:

The Accountant General, Andhra Pradesh, Hyderabad.

The Secretary, A.P. Public Service Commission, Hyderabad.(1322/RT-1/3/2009)

The Secretary, A.P. Vigilance Commission, Hyderabad.(211/VC.G1/2002)

The Director General, Anti Corruption Bureau, Hyderabad.

The Panchayat Raj and Rural Development (Estt.I) Department.

SC/SFs.

// FORWARDED :: BY ORDER //

SECTION OFFICER